

REMARKS

In a Restriction Requirement of March 4, 2004 (Paper No. 02242004), the Examiner made a Restriction as between the following claim groups:

- (1) Claims 20-21 and 32-36, drawn to a borosilicate cylinder and related printing apparatus; and
- (2) Claims 22-27 drawn to a chemical compound containing a toner.

In response, Applicant hereby elects Claim Group 1, claims 20-21 and 32-36, for immediate prosecution. Accordingly, claims 22-27 are indicated in this paper as being withdrawn. Prompt examination of claims 20-21 and 32-36 is now respectfully requested.

However, Applicant respectfully traverses the Restriction Requirement of March 4, 2004 and requests that it be reconsidered and withdrawn, with claims 22-27 being subject to immediate examination. Applicant traverses the improper Restriction Requirement on the following grounds.

MPEP § 803 states that: “Under the statute an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent or distinct. (Citations omitted). **If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.**” (emphasis added).

In the present application, the subject matter of non-elected claims 22-27 is also recited as part of the printer recited in elected claims 33-36. Because elected claims 33-36 will be examined herein, there is no serious burden to also examine claims 22-27.

Therefore, as stated in MPEP § 803, claims 22-27 "must" be examined in this application. Consequently, Applicant respectfully requests that the Restriction Requirement be withdrawn and that all claims be promptly examined in this application.

If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,



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